

# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CITIZENS FOR CONSUME, et al . CIVIL ACTION NO. 01-12257-PBS  
Plaintiffs .  
V. . BOSTON, MASSACHUSETTS  
MAY 16, 2007  
ABBOTT LABORATORIES, et al .  
Defendants .  
. . . . .

TRANSCRIPT OF MOTION HEARING  
BEFORE THE HONORABLE MARIANNE B. BOWLER  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the United States: Rene Brooker, Esquire  
Justin Draycott, Esquire  
United States Department of Justice  
601 D Street, NW  
Patrick Henry Building, Room 9028  
Washington, DC 20004  
202-307-1088

For Ven-A-Care: James J. Breen, Esquire  
The Breen Law Firm, P.A.  
3562 Old Milton Parkway  
Alpharetta, GA 30005  
770-740-0008

For Abbott Laboratories: James Daly, Esquire  
Jason Winchester, Esquire  
Jones Day Reavis & Pogue  
77 West Wacker Drive  
Chicago, IL 60601-1692  
312-782-3939

Court Reporter:

Proceedings recorded by digital sound recording, transcript  
produced by transcription service.

---

MARYANN V. YOUNG  
Certified Court Transcriber  
240 Chestnut Street  
Wrentham, Massachusetts 02093  
(508) 384-2003

1 THE COURT: This is what happens when you get to  
2 4:00. Everybody--

3 MR. BREEN: That's right. I'm sorry.

4 MR. WINCHESTER: --but we attached those papers to  
5 our response. Your Honor can see that. They asked to have  
6 Abbott designate a 30(b)(6) witness to talk about this, what  
7 impact did the Tap settlement have on Abbott, whatever that  
8 means, and the judge said, no, you don't get that. It's not at  
9 issue in the case. It's no more at issue here than it is  
10 there.

11 In terms of I guess counsel's statements which is  
12 well, Abbott may have changed the way it did business as a  
13 result of seeing what happened in Tap, to the extent they're  
14 trying to discovery things about this reduction of price in  
15 2001, which by the way is where their complaint ends, then  
16 we've already told them we're giving them all the non-privilege  
17 documents that have to do with the reduction of prices for  
18 these drugs that happen in 2001. They're getting those  
19 documents. This class of things--

20 THE COURT: All right.

21 MR. WINCHESTER: --class of things they're talking  
22 about is outside the case.

23 THE COURT: Denied without prejudice at this time,  
24 maybe to be renewed upon at further showing down the road.  
25 Right now I don't see the relevance.